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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number	10/616473	Docket Number	CNTR.2049
Filed	07/09/03	Group Art Unit	2819
Examiner	CHANG, DANIEL D	Customer No.	23669
Application Title	TEACHER-PUPIL FLIP-FLOP		
First Named Inventor	JAMES R. LUNDBERG		

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNAVOIDABLY UNDER 37 CFR 1.137(a)

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION.

Applicant provides herewith:

- ☐ Applicant claims small entity status
- ☒ Petition Fee of \$500 under 37 CFR 1.17(l).
- ☒ Reply and/or Fee has been previously filed on 10/27/04
- ☒ The combined Issue/Publication Fee of \$1670 has been previously filed on 10/27/04
- ☒ Additional sheets establishing unavoidable delay
- ☒ Since this utility application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☒ An adequate showing of the cause of the delay, and that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(a) was unavoidable, follows:

SHOWING OF THE CAUSE OF DELAY

In reply to the Notice of Allowance and Fee(s) Due transmittal of 9/16/04, with a statutory period of response set to expire on 12/16/04, Applicant submitted a timely response consisting of the executed PTOL-85 Part B - Fee(s) Transmittal form, a check in the amount of \$1670 to cover combined Issue and Publication fees, a return receipt postcard, and a certificate of mailing under 37 CFR 1.10. The response was submitted on 10/27/04 via USPS Express Mail Post Office to Addressee Service (Express Mail Label Number **EO 002 957 655 US**) and was certified under 37 CFR 1.10 on the mailing date by the undersigned. A copy of the response is attached hereto along with papers provided by the USPS confirming 1) acceptance on the submittal date and 2) delivery to the U.S. Patent And Trademark Office on 10/28/04. To follow up timely submission of the response, the undersigned has spoken via telephone at various times from roughly 1/1/05 through the present date with various Office personnel, most recently including Ms. Diane Terry of the Issue Fee Directorate, who confirmed that, although the response was delivered, it cannot be located within the Office.

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Application Number 10/616473 (Docket: CNTR.2049)
37 CFR 1.137(a) Petition for Revival

As of this Petition, Applicant hereby cancels the check previously provided for the combined Issue/Publication Fee payment, and is herewith attaching PTO-2038 Credit Card Payment Form authorizing a charge of \$2170 to cover the 37 CFR 1.17(l) Petition Fee plus the combined Issue/Publication Fee originally submitted via check.

Applicant earnestly requests that the undersigned be contacted at the number provided below if there are any questions or issues related to this petition.

EXPRESS MAIL LABEL NUMBER: **EO 003 846 038 US**

DATE OF DEPOSIT: **1/31/05**

I hereby certify that this paper is being deposited with the U.S. Postal Service Express Mail Post Office to Addressee Service under 37 C.F.R. §1.10 on the date shown above and is addressed to Mail Stop **PETITION**, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

Respectfully submitted,
HUFFMAN PATENT GROUP, LLC

By: 

RICHARD K. HUFFMAN

Registration No. 41,082

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Date: 1/31/05